

Docket No. 211110US0DIV

IN RE APPLICATION OF: Yasuhiro MIHARA et al.

SERIAL NO: 09 902,693

FILED: July 12, 2001

FOR: NOVEL MICROORGANISMS AND METHOD FOR PRODUCING XYLITOL OR D-XYLULOSE

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is an amendment (with marked-up copy in the above-identified application).

- No additional fee is required
- Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.
- Additional documents filed herewith: Request for Extension of Time (One Month); Technical Reference (Bergey)

The Fee has been calculated as shown below:

| CLAIMS      | CLAIMS<br>REMAINING |  | HIGHEST<br>NUMBER<br>PREVIOUSLY<br>PAID | NO. EXTRA<br>CLAIMS | RATE   | CALCULATIONS |
|-------------|---------------------|--|---|---------------------|--------|--------------|
| TOTAL       | 10                  | MINUS  | 20                                      | 0                   | \$18 = | \$0.00       |
| INDEPENDENT | 4                   | MINUS  | 6                                       | 0                   | \$84 = | \$0.00       |
|             |                     | <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS                   |   | + \$280 =           |        | \$0.00       |
|             |                     |  |   |                     |        | \$0.00       |
|             |                     | <input type="checkbox"/> Reduction by 50% for filing by Small Entity |   |                     |        | \$0.00       |
|             |                     | <input type="checkbox"/> Recordation of Assignment                   |   | + \$40 =            |        | \$0.00       |
|             |                     |  |   |                     |        | TOTAL \$0.00 |

- A check in the amount of **\$110.00** is attached.
- Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

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Docket No. 211110US0DIV



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

YASUHIRO MIHARA ET AL

: EXAMINER: NGUYEN, QUANG

SERIAL NO. : 09/902,693

:

FILED: JULY 12, 2001

: GROUP ART UNIT: 1636

FOR: NOVEL MICROORGANISMS :  
AND METHOD FOR PRODUCING  
XYLITOL OR D-XYLULOSE

AMENDMENT AND REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Responsive to the Official Action dated March 11, 2002, Applicants respectfully request reconsideration of the above-identified application in view of the following amendments and remarks.

IN THE CLAIMS

Please amend the claims as follows. For convenience, all of the pending claims are reproduced below.

--16. A method for producing xylitol or D-xylulose, which comprises:  
culturing a bacterium having an ability to produce xylitol or D-xylulose from glucose  
in a suitable medium to accumulate xylitol or D-xylulose in the medium, and  
collecting xylitol or D-xylulose from the medium,

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U.S. PATENT & TRADEMARK OFFICE

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